

IN THE DISTRICT OF THE UNITED STATES  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,  
Plaintiff,

vs.  
No. 1:16-CR-02725-MCA

CHRISTIAN BEGAY,  
Defendant.

**MOTION TO VACATE SENTENCING**

COMES NOW the Defendant, Christian Begay, through counsel of record, and hereby moves the Court for an Order vacating and re-setting the sentencing in this matter scheduled for April 25, 2018, at 1:30 p.m. As grounds the Defendant states:

1. On April 24, 2018, Norman George, the victim in this matter contacted Counsel for the Defendant.
2. Norman George had not been contacted by the Probation Department and had not provided a Victim Statement.
3. Norman George made some statements that the Defense would like the Court to consider at sentencing.

4. Norman George lives in Shiprock New Mexico and does not have transportation, thus getting a written statement to the Court will likely not occur within time for the Court to consider the Statement.
5. The Defendant is in custody and is not prejudiced by the delay as he is facing several more years in prison.
6. Counsel for the Government prefers the sentencing not be vacated.
7. The Government is not prejudiced nor is the victim prejudiced or inconvenienced by vacating the sentencing.
8. Counsel for the Defendant has not had a response from the Probation Office.

WHEREFOR for the forgoing reasons, the Defendant respectfully requests that the sentencing scheduled for April 25, 2018, at 1:30 p.m., be vacated and rescheduled.

Respectfully Submitted,

/s/ Emeterio L. Rudolfo  
EMETERIO L. RUDOLFO  
Counsel for Christian Begay  
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Farmington, New Mexico 87401  
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## **CERTIFICATE OF SERVICE**

I hereby certify that on this 24<sup>th</sup> of April, 2018, I filed the foregoing pleading electronically through the CM/ECF system, which caused counsel of record for the United States, and current counsel of record for the Defendant, to be served with a copy of this pleading by electronic means.

/s/ Emeterio L. Rudolfo  
EMETERIO L. RUDOLFO  
Counsel for Christian Begay